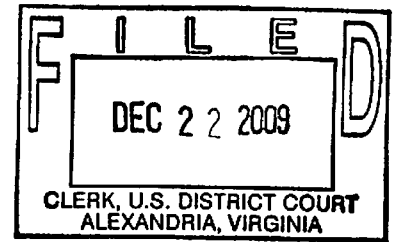


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division



\_\_\_\_\_  
BOARD OF TRUSTEES, NATIONAL  
STABILIZATION AGREEMENT OF  
THE SHEET METAL INDUSTRY  
TRUST FUND, et al.,

Plaintiffs,

v.

\_\_\_\_\_  
TOTAL AIR BALANCE COMPANY,  
INC.,

Defendant.  
\_\_\_\_\_

Civil Action No. 1:09cv803

ORDER

This matter comes before the Court on the Report and Recommendation of the Magistrate Judge dated November 17, 2009. Defendant has not filed any objections to the Report and Recommendation. Based on a de novo review of the evidence in this case, the Court adopts the findings and recommendation of the Magistrate Judge.

It is hereby

ORDERED that judgment is entered against the Defendant in the amount of \$21,870.42 and \$5,160.96 in attorneys' fees and costs.

It is further ORDERED that Defendant files remittance reports, if not already filed, and makes payments due within twenty (20) days of this Order for the period January 2007

through May 2009, and for all other periods for which it is obligated until the expiration of the current collective bargaining agreement and extensions thereto.

It is further ORDERED that Defendant permits Plaintiffs to conduct an audit of its wage, payroll, and personnel records, within twenty (20) days of the date of this Order, for all periods for which Defendant is obligated to contribute to the Funds under the collective bargaining agreement. And, should such an audit reveal unreported hours and that additional contributions are due, Defendant must pay all additional unpaid contributions, all interest, and liquidated damages on those unpaid contributions, and all costs of the audit.

It is further ORDERED that Defendant, its officers, agents, servants, employees, attorneys, and all persons acting on their behalf or in conjunction with them be restrained and enjoined from refusing to file complete, proper, and timely remittance reports with accompanying contributions for all periods for which the Defendant is obligated to do so under its current and former collective bargaining agreements.

                    /s/                      
Claude M. Hilton  
United States District Judge

Alexandria, Virginia  
December 22, 2009